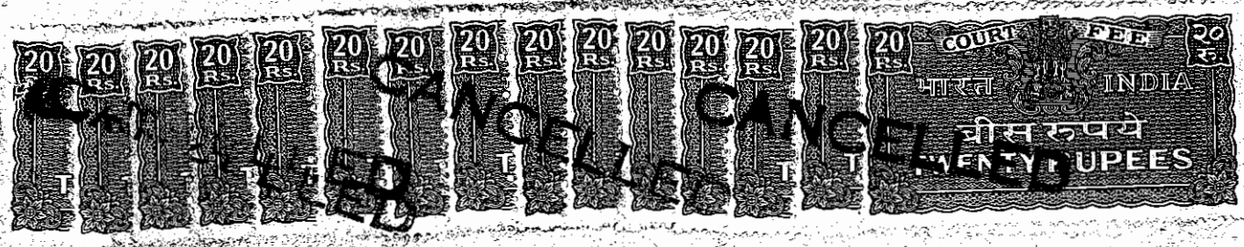

(3)

IN THE HIGH COURT OF THE JUDICATURE AT JABALPUR

WRIT PETITION NO. 3707/98

PETITIONERS : 1) Union of India, through Secretary, Ministry of Personnel and Public Grievances and Pensions, Deptt. of Pension & Pensioners Welfare, Nirwachan Bhawan, Patel Chowk, New Delhi.

2) Commandant and Officer-in-Charge, Central Ordnance Depot, Jabalpur and

3) Controller of Defence (Accounts) Allahabad (UP).

Versus

RESPONDENTS : 1) Trimback Moreshwar Fattekhani, aged about 81 years, S/O Late Shri M.N. Fattekhani, R/O EWS-116, Vaishali Nagar, Bhilai (Durg) (R. No. 18362).

2) Managing Director, Bhilai Steel Plant, Bhilai and

3) Registrar, Central Administrative Tribunal, Jabalpur Bench, Jabalpur.

PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA.

(64)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 3707 सन् ~~200~~ 98

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

DIVISION BENCH: -
HON'BLE SHRI K.H.N. KURANGA, CJ
& HON'BLE SHRI L.C. BHADOO, J.

25.6.2003:

Shri A.S. Gaharwar Sr. Standing counsel for the Union of India /petitioner.

Shri H.B. Agrawal counsel for the respondents.

Since these writ petitions namely W.P.No. 3707/98,WP No. 4835/98 and W.P. No. 4618/98 relate to the same issue and they arise out of the common judgment dated 19.2.98 passed by the Central Administrative Tribunal, Jabalpur, by which the learned Tribunal following the earlier decision allowed the applications namely OA No. 744/95 filed by Balakram Sharma, OA No. 278/96 filed by Jagdish Chakerverti, O.A. No. 326/96 filed by Govind Prasad Dubey, O.A. No.327/96 filed by Ramchand Sud, OA No. 328/96 filed by Trimback Moreshwar Fattekhani, O.A. No. 411/96 filed by Padmakar Balwant Amolik, O.A. No. 425/96 filed by O.P. Joshi, O.A. No. 434/96 filed by Preetam Singh, O.A. No. 435/96 filed by Benjamin George Mathias, O.A. No. 457/96 filed by Rajendra Prasad Vaid and O.A. No. 679/96 filed by Raghunandan, for giving the pro rata pensionary benefits to the petitioners as has been extended to the similarly placed persons by the decision of the Apex Court in the case of T.S.

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 3207 सन् ~~200~~ 98

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Thiruvengadam Vs. Secretary to the Government of India, Ministry of Finance, Department of Expenditure, New Delhi and others.

This matter is covered by the judgment of the M.P. High Court passed in Writ Petition No. 5311/99 on 14.2.2002 (Union of India and others Vs. Raghunandan Shukla and others) and in other connected writ petitions by which the High Court of M.P. dismissed the writ petition filed by the Union of India under Articles 226/227 of the Constitution of India and affirmed the decision of the Tribunal following the earlier judgment passed in writ petition No. 2397/2000.

These matters are covered by the earlier decision and counsel for both the parties agree to it. Therefore, in view of the aforesaid decision we are of the opinion that there is no force in the petitions and the petitions are liable to be dismissed. They are accordingly dismissed.

The petitioners are directed to comply with the tribunal's order within two months from today.

Sd/-
Chief Justice

Sd/-
L.C.BHADOO
Judge